

BOARD OF ADJUSTMENT APPLICATION

Owner Name: _____

Address: _____

Home Phone: _____ Cell Phone _____ Fax: _____
(optional)

Subject Property Information:

Address/Location: _____ Zone District: _____

Property I.D. # (Sidwell) _____ Property Size (acres): _____

Proposed Use of Property: _____

Brief Description of Variance Request: _____

The applicant is required to prove that all conditions justifying a variance have been met. After reading each section below describing the justifications for a variance, provide a brief explanation of how your request complies. Attach additional sheets if necessary. This application sheet along with other required materials will be submitted to the Board of Adjustment to aid in their review and decision.

Before any variance may be authorized, it must be shown that:

- 1) Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
 - a) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (1) above, the Board may not find an unreasonable hardship unless the alleged hardship:
 - i) Is located on or associated with the property for which the variance is sought; and
 - ii) Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - b) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (1) above, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

- 2) There are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 - a) In determining whether or not there are special circumstances attached to the property under Subsection (2) above, the appeal authority may find that special circumstances exist only if the special circumstances:
 - i) Relate to the hardship complained of; and

ii) Deprive the property of privileges granted to other properties in the same zone.

3) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;

4) The variance will not substantially affect the general plan and will not be contrary to the public interest; and

5) The spirit of the land use ordinance is observed and substantial justice done.

OWNERS AFFIDAVIT

I, (we) _____, being duly sworn depose and say that I, (we) am the owner or authorized agent of the owner of property involved in this application and that the foregoing statements and answers herein contained and the answers in the attached plans and other exhibits thoroughly, to the best of my (our) ability, present the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ Signed _____

Notary Public Residing in Salt Lake County, Utah

My Commission Expires _____

Fee: _____

Date Paid: _____

Received By: _____